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MAIL STOP - PCT
Attorney Docket No.: 27270U
Date: 14 July 2006

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

KLATT, et al.

Art Unit: Unknown

Examiner: Unknown

Application No.: 10/576,092

Filed: 14 April 2006

Intl. Application No.: PCT/EP2004/052634

Intl. Filing Date: 22 October 2004

Title: NOVEL MEDICINE PACK

TRANSMITTAL LETTER

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Submitted herewith for filing in the U.S. Patent and Trademark Office is the following:

- 1) Information Disclosure Statement;
- 2) PTO Form-1449 with 21 references cited, with copies of 12 of the 21 references.

The Commissioner is hereby authorized to charge any deficiency or credit any excess to Deposit Account No. 14-0112.

Respectfully submitted,
NATH & ASSOCIATES PLLC

By:


Gary M. Nath
Reg. No.: 26,965
Sheldon M. McGee
Reg. No.: 50,454
Customer No.: 34375

SMM/le



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Title: **NOVEL MEDICINE PACK**

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

An Information Disclosure Statement is submitted herewith pursuant to 37 C.F.R. 1.97-1.98. Please note the following particulars: [NOTE: One only of items a, b, c, and d must be checked.]

- a. The enclosed statement is being filed within three months of the filing date of a national application, or within three months of the date of entry into the national stage as set forth in 37 C.F.R. 1.491 in an international application, or before the mailing date of a first Office Action on the merits, whichever event occurs last.

- b. The enclosed statement is being filed after a first action on the merits but before the mailing date of a final action under 37 C.F.R. 1.113, or a notice of allowance under 37 C.F.R. 1.311.
The enclosed statement is accompanied by [check one]:
 - i. a certification in part (e) below as specified in 37 C.F.R. 1.97(e), or
 - ii. a check in the amount required by 37 C.F.R. 1.17(p).

c. [] The enclosed statement is being filed after the mailing date of a final action under 37 C.F.R. 1.113, or a notice of allowance under 37 C.F.R. 1.311, but before payment of the issue fee.
[] Certification report(e) below; and
[] a check in the amount as required by 1.17(p).

d. [] The enclosed statement is being filed pursuant to 37 C.F.R. 1.97(i), for placement in the file.

e. Certification [Check one] [Certification is required only if box (b)(i) or box (c) is checked.]

[] I hereby certify that each item of information contained in the enclosed Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement,

or

[] I hereby certify that no item of information in the enclosed Information Disclosure Statement herewith was cited in a communication from a foreign patent office in a counterpart foreign application, or, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. 1.56(c) more than three months prior to the filing of this Information Disclosure Statement.

or

[] Appropriate certification is attached.

f. [XXX] If no check is enclosed and a fee is due in connection with this communication or if the check enclosed is insufficient, the Commissioner is authorized to charge any fee or additional fee due in connection with this communication to Deposit Account No. 14-0112.

g. [XXX] Copies of the documents are attached herewith with a completed Form PTO-1449.

[] Copies of the or documents are not attached as allowed under CFR 1.98(d)(1)(2). The earlier application is identified as:

and / or

[XXX] Copies of US Patents/Publications not attached, with a completed Form PTO-1449, as allowed in Official Gazette Aug. 5, 2003/ Vol. 1273, no. 1.

The Examiner is respectfully requested to cite the documents listed on the attached Form PTO-1449 in the next Office Action. In so doing, the Examiner is respectfully requested to initial in the space adjacent to the listing of each document on the Form PTO-1449, and return a copy of the initialed Form PTO-1449 with the next communication to Applicants, to confirm that these documents have been considered by the Examiner and made of record in this application.

If the Examiner has any questions or wishes to discuss this application, kindly telephone the undersigned at the below-listed number.

Respectfully submitted,
NATH & ASSOCIATES PLLC

By: 

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Reg. No.: 26,965
Sheldon M. McGee
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MAIL STOP PCT

Attorney Docket: 27207U

FORM PTO-1449

In re Application of:
KLATT, et al.Art Unit:
Unknown

Application No: 10/576,092 Filed: 14 April 2006

Examiner:
UnknownINFORMATION DISCLOSURE CITATION

U. S. PATENT DOCUMENTS

Examiner Initial	Document Number	Issue / Publication Date	Inventor	Filed
A1	2002/0175106	28 November 2002	Nemoto	23 April 2002
A2	2,784,901	12 March 1957	Wilcox	6 November 1952
A3	2,801,002	30 July 1957	Volckening, et al.	27 January 1956
A4	3,438,563	15 April 1969	Collura, et al.	14 February 1968
A5	3,756,385	4 September 1973	Steinbock	23 April 1971
A6	3,910,487	7 October 1975	Jaeschke	19 June 1974
A7	5,219,116	15 June 1993	Hearne	13 August 1992
A8	5,242,055	7 September 1993	Pora	27 November 1992
A9	5,913,426	22 June 1999	Lotz Renfro, et al.	4 March 1997

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Examiner Initial	Document Number	Publication Date	Country	Translation
A10	35 13 351 A1	16 October 1986	DE	No
A11	44 29 503 C2	22 February 1996	DE	No
	197 04 523 A1 (corresponds to EP 0 857 656)	13 August 1998	DE	No
A12	297 80 456 U1	15 July 1999	DE	No
	0 857 656 B1 (corresponds to DE 197 04 523)	12 August 1998	EP	Yes
A15	0 940 345 A1	08 September 1999	EP	N/A
A16	2 250 978 A	24 June 1992	GB	N/A
A17	2 366 286 A	6 March 2002	GB	N/A

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	Fosamax Product Packaging [online] [retrieved on June 9, 2006] Retrieved from the internet <URL: http://www.life-extension-drugs.com/img/products/prod-21.jpg>
A18	Fosamax Product Packaging [online] [retrieved on June 9, 2006] Retrieved from the internet <URL: http://www.msd.nl/iimages/195.gif>
A19	Fosamax Product Packaging [online] [retrieved on June 9, 2006] Retrieved from the internet <URL: http://medcatalog.net/pic/cab/fosamax.jpg>
A20	Fosamax Product Packaging [online] [retrieved on June 9, 2006] Retrieved from the internet <URL: http://www.edrugdelivery.com/img/products/fosamax.jpg>
A21	Fosamax Product Packaging [online] [retrieved on June 9, 2006] Retrieved from the internet <URL: http://www.edrugdelivery.com/img/products/fosamax.jpg>

Examiner	Date Considered

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP ' 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.